

PD-0771-17

**IN THE COURT OF CRIMINAL APPEALS
FOR THE
STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
2/7/2018
DEANA WILLIAMSON, CLERK

JOHN CHAMBERS

V. Appeals No. 13-16-0079-CR

THE STATE OF TEXAS

**MOTION FOR EXTENSION OF TIME
TO FILE PETITIONER'S BRIEF**

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL
APPEALS:

COMES NOW, CHAD VAN BRUNT, counsel for JOHN CHAMBERS, and files this motion asking that the Court extend the time for filing the Petitioner's Brief, and in support thereof, offers the following:

I.

- a. Petition for discretionary review was granted on January 10, 2018. Petitioner's brief on the merits is due on February 9, 2018.
- b. Attorney Chad Van Brunt had a release deadline of January 30, 2018 for his contributions to the Texas Criminal Practice

Guide Published by Matthew Bender. He also was preparing for trial in U.S. v. Valencia, *Et al.* no. 5:17-cr-00882-DAE though that case was subsequently continued.

- c. Attorney Gregory Perkes had deadlines for briefing in the following cases: Cause No. 13-17-00514-CV; In the 13th Court of Appeals, Corpus Christi-Edinburg (appellate brief); Cause No. 04-17-00091-CV; in the Fourth Court of Appeals, San Antonio, Bexar County, Texas (reply brief); and Trial Cause No. 2017-FAM-3685- F; 214th District Court, Nueces County, Texas (mandamus brief).
- d. Attorney David Botsford, who is assisting on the PDR and the brief, but who was not involved in the case prior to the preparation of the PDR, was out of the country dealing with his hurricane damaged house in St. John from January 16, 2018 through January 24, 2018. Additionally, his pre-existing commitments immediately upon his return on January 25, 2018, kept him from focusing on the brief until January 29, 2018.
- e. Attorneys are thus unable to complete briefing on the merits

in this case by the February 9, 2018 deadline.

- f. Attorneys for Petitioner request an additional 30 days to file the brief to provide sufficient time to prepare the brief on the merits.
- g. This is the first request for an extension of time to file the Petitioner's brief on the merits.

Therefore, for the above reasons, Attorneys for Petitioner prays that the Court grant an extension of time to March 12, 2018 for filing Petitioner's brief on the merits.

Respectfully Submitted

_____/s/_____

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CERTIFICATE OF SERVICE

I, CHAD VAN BRUNT, attorney for the appellant, certify that a true and correct copy of the foregoing brief was emailed to the Cameron County District Attorney's Office, Appellate Division, via efile.

/s/ Chad Van Brunt
Chad Van Brunt
Attorney for Appellant